

² 20 C.F.R. § 501.3(e) provides in pertinent part: “Any notice of appeal must be filed within 180 days from the date of issuance of a decision of the OWCP.”

federal employment.³ As there is no final adverse decision issued by OWCP over which the Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as No. 21-0320 must be dismissed. Regarding whether appellant's January 3, 2021 appeal may be construed as a petition for reconsideration of the Board's October 16, 2020 order dismissing appeal in Docket No. 20-1405 and order dismissing petition for reconsideration in Docket No. 18-0562,⁴ the Board concludes that it must be dismissed for lack of jurisdiction. Section 501.7(a) of the Board's *Rules of Procedure*⁵ provides that, "The Appellant or the Director [of OWCP] may file a petition for reconsideration of a decision or order issued by the Board within 30 days of the date of issuance...." The Board notes that its October 16, 2020 decision became final upon the expiration of 30 days from the date thereof.⁶ The Board's October 16, 2020 order also dismissed appellant's petition for reconsideration in Docket No. 18-0562 as not filed within 30 days of the Board's January 23, 2020 decision. As there is no provision in the Board's *Rules of Procedure*⁷ for filing a petition for reconsideration of the denial of a petition for reconsideration, the Board concludes that it lacks jurisdiction to either grant or deny appellant's petition for reconsideration.⁸ Accordingly,

³ Docket No. 18-0562 (issued January 23, 2020).

⁴ Docket Nos. 20-1405 & 18-0562 (issued October 16, 2020).

⁵ 20 C.F.R. § 501.7(a).

⁶ *Id.* at § 501.6(d).

⁷ *Id.* at § 501 *et seq.*

⁸ See *John A. Johnson*, 44 ECAB 602 (1993) (wherein the Board dismissed appellant's petition for reconsideration of a denial of a petition for reconsideration, finding no basis to file a second petition for reconsideration, pursuant to 20 C.F.R. § 501.7(a)).

IT IS HEREBY ORDERED THAT the appeal docketed as No. 21-0320 is dismissed.

IT IS FURTHER ORDERED THAT the petition for reconsideration in Docket No. 20-1405 is dismissed for lack of jurisdiction.

Issued: September 20, 2021
Washington, DC

Alec J. Koromilas, Chief Judge
Employees' Compensation Appeals Board

Janice B. Askin, Judge
Employees' Compensation Appeals Board

Valerie D. Evans-Harrell, Alternate Judge
Employees' Compensation Appeals Board